

**REMARKS**

The present amendment is in response to the Office Action dated June 25, 2008, where the Examiner has rejected claims 1-29. In the present amendment, claims 1-27 have been cancelled and claim 30 has been added. Accordingly, independent claims 28, 29, and 30 are pending in the present application. Reconsideration and allowance of pending claims 28, 29, and 30 in view of the amendments and the following remarks are respectfully requested.

**A. Claims 1-27**

Applicant has cancelled claims 1-27 without prejudice in order to focus examination on claims 28, 29, and 30.

**B. Rejection of Claims 28-29 Under 35 USC § 102(e)**

Claims 28 and 29 stand rejected under section 102(3) as being anticipated by U.S. Publication No. 2004/0165006 ("Kirby"). Specifically, the office action cites Kirby as disclosing the steps of:

- (1) associating the media presentation with a trigger event on the first device; and
- (2) detecting the trigger event on the first device.

Kirby, however does not disclose these steps. Instead, Kirby merely discloses receiving a command from a remote source, processing that command, and displaying a new content item in response to the command. This is describing what happens when a phone call is received by a wireless device. The Kirby device receives a command associated with the phone call, processes the command, and then presents a telephone number on the screen. That is what Kirby discloses in paragraph 11.

In paragraph 16, Kirby discloses a process where a plurality of content items is indicated on the screen of a wireless device. The wireless device then sends a

command over a network and in response to the command the wireless device then receives a transmission including a specification of one of the content items. Nowhere does this disclosure even contemplate a trigger event, much less associating a media presentation with trigger event on the first device and then playing the media presentation on the second device in response to the trigger event on the first device.

Accordingly, the 102 rejection fails and Applicant asserts that the claims should be allowed if they are supported by the specification as required by section 112.

**C. Rejection of Claims 28-29 Under 35 USC § 112, ¶1**

Claims 28 and 29 stand rejected under section 112, ¶1 as failing to comply with the written description requirement. Specifically, the office action states that the specification does not support claim language that requires a media presentation to be played on a second device in response to a trigger event that is detected on a first device. Paragraph 54 of the application, however, discloses this feature:

[0054] An association 343 can be made on the local device between the media presentation and a particular trigger event. An event processor 341 monitors for the particular event, and when that event occurs, notifies the media engine 338 that the event has occurred and provides an identification for the media presentation to be played. The media engine 338 recalls the media presentation, and if necessary, recalls the individual media object files, and presents the media presentation using one or more of the output devices 331. Using system 325, a user is able to dynamically construct and configure a media presentation, and associate that media presentation with a particular trigger event. Upon occurrence of the trigger event, the media presentation may be displayed on the local device. If the device 327 includes communication abilities, the media presentation may be published wirelessly or through network connection to a remote device. Provided the remote device has a properly configured media engine, the media presentation may be played remotely.

Specifically, paragraph 54 is describing the system 325 that is embodied in FIG.

7. Paragraph 52 describes certain elements of the device 327 that is part of the system in FIG. 7 and states that the device 325 may have communication links via wireless connection or Internet connection. The next paragraph 53 goes on to describe an embodiment where the configuration utility 340 is used to configure a media presentation. Paragraph 53 also describes an embodiment where the configuration utility is a process operating on a different device and that the media presentation is configured on that different device and then sent to the device 327 along with an association list that identifies a trigger event to be associated with the media package.

Furthermore, paragraph 54 goes on to describe an embodiment whereby a user using the system 325, is able to construct and configure a media presentation and associate that media presentation with a particular trigger event. When the trigger

event occurs, the presentation can be displayed locally. However, paragraph 54 goes on to describe that if the device 327 includes communication abilities, which paragraph 52 stated it may have, then the device may publish the media package to a remote device and that the media presentation may be played remotely, with the caveat that the remote device must of course have a properly configured media engine. Thus, the media presentation can be played locally or played remotely if the device includes communication capabilities.

Thus, the description of FIG. 7 clearly supports the claim language that requires playing the media presentation on a second device in response to a trigger event detected on the first device.

Accordingly, because claims 28 and 29 are supported by the specification, Applicant asserts that these claims are presently in condition for allowance and a notice of allowance is respectfully requested.

**D. New Claim 30**

New claim 30 is directed toward an embodiment where an association list is transmitted to a wireless device along with a media package. The office action states that nowhere does the specification describe this feature. Paragraph 53, however, describes transmitting an association list to a wireless device along with the media package.

[0053] The user interface includes a configuration utility 340 enabling the user to select and order a set of media files. For example, the user may select a series of images to be displayed concurrently with the sound. The configuration utility may also enable setting of certain properties and characteristics for each of the individual media objects, or for the media presentation as a whole. In an alternative arrangement, the configuration utility may be a process operating on a different device. For example, the configuration utility may be operated on a computer system having access to a large number of media objects. The configuration is used to select and order these objects, and generates a media package that is arranged for transmission to the device 327. If the computer system has particular information regarding the device 327, the computer may also provide an association list to the device 327 that identifies which event trigger should be associated with the media package.

As described in paragraph 53, the media package is arranged using a configuration utility operating on a device that is different from the device 327 (with respect to FIG. 7). The different device may be a computer system that has access to a large number of media objects. The configuration utility on the computer system generates a media package that is arranged for transmission to the device 327. And, if the computer system has information about the device 327, then the computer system also provides the device 327 with an association list that identifies which trigger event to associate with the media package. Thus, the specification does in fact support claim language requiring that an association be transmitted along with a media package.

New claim 30 is directed toward just such an embodiment. None of the cited references disclose or even contemplate this particular feature. Accordingly, Applicant

asserts that new claim 30 is presently in condition for allowance and a notice of allowance is respectfully requested.

**E. Conclusion**

For all the foregoing reasons, allowance of claims 28, 29, and 30 pending in the present application is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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